

**COMBINED SYNOPSIS/SOLICITATION
HOSPITAL DATABASE
R-OPC-22475**

The Department of Housing and Urban Development (HUD) is issuing a combined synopsis/solicitation to obtain the use of a database of information on hospitals in the United States and its territories. The synopsis/solicitation is prepared in accordance with the format in Subpart 12.6, as supplemented with additional information included in this notice. This announcement constitutes the only solicitation; proposals are being requested and a written solicitation **WILL NOT** be issued. The solicitation number is R-OPC-22475. This solicitation is issued as a Request for Proposal (RFP). HUD's objective is to obtain the use of a database of information on hospitals in the United States and its territories. The information will be used to help HUD minimize risk in its program of mortgage insurance for hospitals (Section 242 of the National Housing Act). It will support underwriting and loan monitoring activities. **Note – This is not a solicitation to create a new product. Proposals must include access to an existing universal database. Proposals that do not include access to an existing universal database will not be considered.** The types of information needed are financial and operational data on selected hospitals, hospital utilization statistics (current discharges and inpatient acute care days) for selected areas, and demographic information for selected hospital service areas. The vendor shall provide all services and products necessary to accomplish all project objectives. The solicitation document and incorporated provisions and clauses are those in effect through Federal Acquisition Circular 97-24, effective June 23, 2003. The Statement of Work outlines the service to be performed. This is a Total Small Business Set-Aside, Full and Open competition. NAICS code is 518210 and small business size standard is \$21 million. Applicable provisions and clauses may be downloaded from the HUD web site (**Attachment B**). The contract resulting from this solicitation shall be Firm Fixed Price for a period of performance of 1 year from the date of the award with four options for annual renewals at the discretion of the government. HUD shall utilize best value when selecting awardees. Best value allows HUD to consider an award to an offeror who is other than the lowest priced or other than the highest technically rated. Each offeror must submit a technical and cost proposal, and complete the Representations and Certifications contained in Attachment C or downloaded from web site www.arnet.gov/far. Additionally, each offeror must complete the Price Schedule contained in section B (including all documentation to support proposed pricing such as catalogs, commercial price lists etc.) along with all requested documentation in attachment A, B and C. The technical and cost proposals will be rated against evaluation factors (**See Attachment C**). In addition, the proposals will be evaluated based on the offerors ability to meet the minimum requirements, which are the Minimum Financial and Operational Data Elements (**Attachment A**). Proposals are due on **Monday, July 28, 2003, by 2:00 PM eastern standard time**, Please send all correspondence to the attention of Kelven Jones, the Contract Specialist assigned to this action. You must submit your proposal by e-mail to:

Kelven_D._Jones@HUD.Gov

No facsimile submissions will be accepted. The contact persons are Kelven Jones, Contract Specialist, e-mail address **Kelven_D._Jones@hud.gov**, 202-708-0614, ext. 2701; or Catherine Haddon, Contracting Officer, **Catherine_M._Haddon@hud.gov**, 202-708-1585, ext. 7155. **All questions must be submitted in writing to Kelven Jones at the e-mail address listed above.**

Commercial item means-

- (1) Any item, other than real property, that is of a type customarily used by the general public or by non-governmental entities for purposes other than governmental purposes, and-
 - (i) Has been sold, leased, or licensed to the general public; or
 - (ii) Has been offered for sale, lease, or license to the general public;
- (2) Any item that evolved from an item described in paragraph (1) of this definition through advances in technology or performance and that is not yet available in the commercial marketplace, but will be available in the commercial marketplace in time to satisfy the delivery requirements under a Government solicitation;
- (3) Any item that would satisfy a criterion expressed in paragraphs
 - (1) or (2) of this definition, but for-
 - (i) Modifications of a type customarily available in the commercial marketplace; or

(ii) Minor modifications of a type not customarily available in the commercial marketplace made to meet Federal Government requirements. Minor modifications means modifications that do not significantly alter the nongovernmental function or essential physical characteristics of an item or component, or change the purpose of a process. Factors to be considered in determining whether a modification is minor include the value and size of the modification and the comparative value and size of the final product. Dollar values and percentages may be used as guideposts, but are not conclusive evidence that a modification is minor;

(4) Any combination of items meeting the requirements of paragraphs (1), (2), (3), or (5) of this definition that are of a type customarily combined and sold in combination to the general public;

(5) Installation services, maintenance services, repair services, training services, and other services if-

(i) Such services are procured for support of an item referred to in paragraph (1), (2), (3), or (4) of this definition, regardless of whether such services are provided by the same source or at the same time as the item; and

(ii) The source of such services provides similar services contemporaneously to the general public under terms and conditions similar to those offered to the Federal Government;

(6) Services of a type offered and sold competitively in substantial quantities in the commercial marketplace based on established catalog or market prices for specific tasks performed under standard commercial terms and conditions. This does not include services that are sold based on hourly rates without an established catalog or market price for a specific service performed. For purposes of these services-

(i) "Catalog price" means a price included in a catalog, price list, schedule, or other form that is regularly maintained by the manufacturer or vendor, is either published or otherwise available for inspection by customers, and states prices at which sales are currently, or were last, made to a significant number of buyers constituting the general public; and

(ii) "Market prices" means current prices that are established in the course of ordinary trade between buyers and sellers free to bargain and that can be substantiated through competition or from sources independent of the offerors.

(7) Any item, combination of items, or service referred to in paragraphs (1) through (6) of this definition, notwithstanding the fact that the item, combination of items, or service is transferred between or among separate divisions, subsidiaries, or affiliates of a contractor; or

(8) A nondevelopmental item, if the procuring agency determines the item was developed exclusively at private expense and sold in substantial quantities, on a competitive basis, to multiple State and local governments.

SECTION B– SUPPLIES OR SERVICES AND PRICES

Firm Fixed Price

Base Year (Period of Performance is 1 year from date of award)

ITEM	SUPPLIES OR SERVICES	QUANTITY	UNIT	UNIT PRICE	TOTAL PRICE
0001	CD's (for four users) providing unlimited access to hospital financial and operational data in accordance with the Statement of Work (SOW). The first set of CD's is to be delivered no later than 30 days following the award of the contract.	Per Quarterly Update	4 - CD's per quarter	\$	\$
0002	CD's (for four users) providing unlimited access to age graded discharge and patient day data in accordance with the Statement of Work (SOW). The first set of CD's is to be delivered no later than 30 days following the award of the contract.	Per Quarterly Update	4 - CD's per quarter	\$	\$
0003	CD's (for four users) Providing unlimited access to age graded demographic data in accordance with the Statement of Work (SOW). The first set of CD's is to be delivered no later than 30 days following the award of the contract.	Per Year	4 - CD's per year	\$	\$
0004	User's manuals and user support 30 days after award		2	\$	\$
0005	At the Option of HUD: User training sessions 30 days after award or within 30 days of HUD's request		2	\$	\$

Option 1 (Period of Performance is 1 year)

ITEM	SUPPLIES OR SERVICES	QUANTITY	UNIT	UNIT PRICE	TOTAL PRICE
0101	CD's (for four users) providing unlimited access to hospital financial and operational data in accordance with the Statement of Work (SOW). The first set of CD's is to be delivered no later than 30 days following the award of the contract.	Per Quarterly Update	4 - CD's per quarter	\$	\$
0102	CD's (for four users) providing unlimited access to age graded discharge and patient day data in accordance with the Statement of Work (SOW). The first set of CD's is to be delivered no later than 30 days following the award of the contract.	Per Quarterly Update	4 - CD's per quarter	\$	\$
0103	CD's (for four users) Providing unlimited access to age graded demographic data in accordance with the Statement of Work (SOW). The first set of CD's is to be delivered no later than 30 days following the award of the contract.	Per Year	4 - CD's per year	\$	\$
0104	User's manuals and user support 30 days after award		2	\$	\$
0105	At the Option of HUD: User training sessions 30 days after award or within 30 days of HUD's request		2	\$	\$

Option 2 (Period of Performance is 1 year)

ITEM	SUPPLIES OR SERVICES	QUANTITY	UNIT	UNIT PRICE	TOTAL PRICE
0201	CD's (for four users) providing unlimited access to hospital financial and operational data in accordance with the Statement of Work (SOW). The first set of CD's is to be delivered no later than 30 days following the award of the contract.	Per Quarterly Update	4 - CD's per quarter	\$	\$
0202	CD's (for four users) providing unlimited access to age graded discharge and patient day data in accordance with the Statement of Work (SOW). The first set of CD's is to be delivered no later than 30 days following the award of the contract.	Per Quarterly Update	4 - CD's per quarter	\$	\$
0203	CD's (for four users) Providing unlimited access to age graded demographic data in accordance with the Statement of Work (SOW). The first set of CD's is to be delivered no later than 30 days following the award of the contract.	Per Year	4 - CD's per year	\$	\$
0204	User's manuals and user support 30 days after award		2	\$	\$
0205	At the Option of HUD: User training sessions 30 days after award or within 30 days of HUD's request		2	\$	\$

Option 3 (Period of Performance is 1 year)

ITEM	SUPPLIES OR SERVICES	QUANTITY	UNIT	UNIT PRICE	TOTAL PRICE
0301	CD's (for four users) providing unlimited access to hospital financial and operational data in accordance with the Statement of Work (SOW). The first set of CD's is to be delivered no later than 30 days following the award of the contract.	Per Quarterly Update	4 - CD's per quarter	\$	\$
0302	CD's (for four users) providing unlimited access to age graded discharge and patient day data in accordance with the Statement of Work (SOW). The first set of CD's is to be delivered no later than 30 days following the award of the contract.	Per Quarterly Update	4 - CD's per quarter	\$	\$
0303	CD's (for four users) Providing unlimited access to age graded demographic data in accordance with the Statement of Work (SOW). The first set of CD's is to be delivered no later than 30 days following the award of the contract.	Per Year	4 - CD's per year	\$	\$
0304	User's manuals and user support 30 days after award		2	\$	\$
0305	At the Option of HUD: User training sessions 30 days after award or within 30 days of HUD's request		2	\$	\$

Option 4 (Period of Performance is 1 year)

ITEM	SUPPLIES OR SERVICES	QUANTITY	UNIT	UNIT PRICE	TOTAL PRICE
0401	CD's (for four users) providing unlimited access to hospital financial and operational data in accordance with the Statement of Work (SOW). The first set of CD's is to be delivered no later than 30 days following the award of the contract.	Per Quarterly Update	4 - CD's per quarter	\$	\$
0402	CD's (for four users) providing unlimited access to age graded discharge and patient day data in accordance with the Statement of Work (SOW). The first set of CD's is to be delivered no later than 30 days following the award of the contract.	Per Quarterly Update	4 - CD's per quarter	\$	\$
0403	CD's (for four users) Providing unlimited access to age graded demographic data in accordance with the Statement of Work (SOW). The first set of CD's is to be delivered no later than 30 days following the award of the contract.	Per Year	4 - CD's per year	\$	\$
0404	User's manuals and user support 30 days after award		2	\$	\$
0405	At the Option of HUD: User training sessions 30 days after award or within 30 days of HUD's request		2	\$	\$

STATEMENT OF WORK

OBJECTIVE

The objective of this procurement is to obtain use of a database of information on hospitals in the United States and its territories. The information will be used to help HUD minimize risk in its program of mortgage insurance for hospitals (Section 242 of the National Housing Act). It will support underwriting and loan monitoring activities. The types of information needed are financial and operational data on selected hospitals, hospital utilization statistics (current discharges and inpatient acute care days) for selected areas, and demographic information for selected hospital service areas. The information will allow HUD to:

- Develop an operational and financial profile (including trends for at least the five most recent years) of each selected hospital
- Compare the performance of a hospital to the performance of other hospitals in the local or regional market in terms of market share, utilization, financial results, etc.
- Identify the number of acute care discharges for the most recent year by age categories for selected zip codes and States, preferably also for a selected county, city, or Metropolitan Statistical Area (MSA).
- Identify inpatient acute care patient days for the most recent year by age categories for the primary and secondary market areas and the state for predetermined zip codes, State, and preferably also for a selected county, city, or Metropolitan Statistical Area (MSA).
- Acute care discharges and days as listed above should not include chronic convalescence and rest, Skilled Nursing Facility (SNF) care, Intermediate Nursing Facility (ICF) care, drug and alcoholic, epileptic, nervous and mental, mental deficiency, tuberculosis, or Psychiatric related care.
- Identify the population by age categories for selected zip codes and States, preferably also for a selected county, city, or Metropolitan Statistical Area (MSA).
- Identify projected population five years in the future by age categories for the primary and secondary market areas and the state for predetermined zip codes, State, and preferably county, city, or Metropolitan Statistical Area (MSA).

BACKGROUND

HUD's Section 242 Hospital Mortgage Insurance Program presently insures a growing portfolio of hospital mortgages, currently totaling \$4.4 billion in principal balance. Because of the sizeable amount of each mortgage and rapid changes occurring in the health care industry, great care must be taken to avoid and mitigate insurance risks. Complete, timely, and accurate financial and operational information on U.S. hospitals is essential for HUD's risk management activities to be successful, both in evaluating potential applicants and in monitoring the insured loan portfolio.

Also, Section 242(a) specifies the purpose of Section 242 is "to assist the provision of urgently needed hospitals for the care and treatment of persons who are acutely ill..." An independent consultant has provided a model to HUD for determining market need. The need for hospitals has traditionally been determined by the individual states. The State would evaluate the need for a facility and issue a Certificate of Need. However, an increasing number of states (24 at this time) have discontinued issuing certificates of need and have decided to let market forces determine the need for hospitals. A proposed amendment to Section 242, supported by the Administration, would give the Secretary the responsibility of determining market need for hospitals seeking Section 242 insured loans in these non-Certificate of Need states. Because of the sizeable amount of each mortgage and rapid changes occurring in the health care industry, great care must be taken to avoid and mitigate insurance risks. Market need is an important factor in determining the future success or failure of a hospital. Therefore an evaluation of market

need (including both current and forecast demographic and utilization estimates) is essential for HUD's risk management activities to be successful.

The Department does not have the resources to obtain and manage these data on its own. However, there are a number of vendors who compile information from hospitals' Medicare Cost Reports and other sources and offer this information to customers in need of health care industry data. This is not a solicitation to create a new product. Proposals must include access to an existing universal database. Proposals that do not include access to an existing universal database will not be considered.

Proposals must include a statement on product compliance with Section 508. Information on Section 508 may be located on the Internet at <http://www.access-board.gov/>. The statement on Section 508 compliance must contain one of the following statements:

Section 508 Compliance

- This product has been tested for compliance with Section 508 and is fully compliant.
- This product has been tested for compliance with section 508 and is partially compliant. (Vendor must include a statement describing the degree of compliance and particular areas where the program is not compliant.)
- This product has not been tested for Section 508 compliance.

SCOPE

Financial and Operational Data

The contractor will provide financial and operational data on U. S. hospitals to HUD for the prior five consecutive years. Attachment A lists the minimum data elements and financial ratios needed by HUD. The contractor will also provide, for each data element and financial ratio, medians and averages for requested geographic and peer groupings of hospitals. Data must be current and accurate. The proposal must include the following statements concerning the completeness of the data set.

This data set includes: financial and statistical data on ____ [fill in the number of hospitals]__ acute care hospitals in the 2002 data set, _____ number of acute care hospitals in the 2001 data set, and _____ number of acute care hospitals in the 2000 data set.

HUD must be able to distinguish between acute care hospitals and non-acute hospitals in the data set.

The contractor will make these data available electronically to HUD with frequent updates as new information is obtained. Proposals must include a description of the frequency and extent of updates. HUD must be able to access the data by CD. The data services provided by the contractor must include the ability of HUD to select the hospitals to be included in a report based on various data elements (such as hospital name, state, city, type, bed size, etc.) Also, the data must be able to be downloaded to user files for further use in a variety of applications such as Excel. Excel is preferred. Software must be user friendly and scoring will include an evaluation of the ease of access and time to obtain, download, and arrange information in a desired format.

Discharge and Patient Day Data

The contractor will provide current acute care discharge and patient day data for a specified area to HUD. HUD will supply a list of zip codes that make up the demographic area. The contractor will provide demographic data for the four age groupings (0-17, 18-44, 45-64, and 65+). The contractor will specify how newborn data is treated in its database. Aggregate discharge and patient day data will also be supplied for the State by the same age groupings. The data must be current and accurate. Scoring will include a preference for aggregate data given as a total for the selected zip codes rather than data for each specific zip code. The data must be capable of separating data for newborns into its own category so that it can be excluded or included as a separate fifth age grouping. Scoring will also include a preference for being able to obtain aggregate data divided into the four age groupings at the city, MSA, and county levels.

The contractor will make these data available through CD. Proposals must include a description of the frequency and extent of updates, as well as methodology used to determine the discharges and patient days at the zip code level of detail. The data must be able to be downloaded to user files for further use in a variety of applications such as Excel. Excel is preferred. Software must be user friendly and scoring will include an evaluation of the ease of access and time to obtain, download, and arrange information in a desired format.

Proposal shall include a declaration stating the number of zip codes in the United States and its territories for which it has data for 2002, for 2001, and for 2000. The contractor will include the following statement: "This data set includes specific data based on complete discharge and patient day data sets submitted to governmental or other bodies for _____ zip codes. This data set includes data based on Medicare discharge and patient day data sets submitted to governmental or other bodies for _____ zip codes. This data set includes "imputed data" based on statistical analysis for _____ zip codes. Contractor must describe the methodology used to "impute" the data. The description must be specific enough for HUD to determine the number of zip codes for which the data set is based on actual discharges and patient days, the number of zip codes for which part of the data is based on "imputed" discharges and patient days, the number of zip codes for which all of the data is based on "imputed" discharges and patient days, the type of data that is imputed and the number of zip codes that use the imputation. The number of zip codes with complete data, plus the number of zip codes with part of the data imputed, plus the number of zip codes with all of the data imputed should equal the total number of zip codes with data.

The proposal must include a statement identifying the sources of data used to create the database. This statement shall include a detailed listing of State and other databases used to create the database and how frequently they are updated.

Demographic Data

The contractor will provide current and projected demographic data for five years in the future for a specified area to HUD. HUD will supply a list of zip codes that make up the demographic area. The contractor will provide demographic data for the four age groupings (0-17, 18-44, 45-64, and 65+). Aggregate demographic data for the current and the projected year will also be supplied for the State using the same age groupings. The data must be current and accurate. Scoring will include a preference for aggregate data given as a total for the selected zip codes, rather than data for each specific zip code. Scoring will also include a preference for being able to obtain aggregate data divided into the four age groupings at the city, MSA, and county levels.

The contractor will make these data available through CD. Proposals must include a description of the frequency and extent of updates, the methodology used to determine the population at the zip code level of detail, and the methodology used in developing projected demographic data. The contractor should specify the extent to which it uses estimates and interpolations to arrive at projections (e.g. if the contractor does not do actual counts or selective sampling in certain states or rural areas, but interpolates the data based on projections derived from other areas.) The description must be specific enough for HUD to determine the reliability of the data among different population groups by state, rural areas and urban areas within the state including areas of changing populations within the state). Using a statistical approach, confidence levels should be identified for both current and projections at the county level. State the number of counties for which the confidence level exceeds 90%. Confidence levels will be considered in scoring.

Software must be user friendly and scoring will include an evaluation for the ease of access and time to obtain, download, and arrange information in a desired format. The data must be able to be downloaded to user files for further use in a variety of applications such as Excel. Excel is preferred. Proposals must include limited access to the data so HUD can perform a hands-on evaluation of each contractor's product.

Quality Control of Data

It is expected that the contractor will perform edit checks and necessary corrections on the data before providing it to HUD (offerors must describe their data quality control processes).

Number of Users

The contractor must provide 4 CD's for users at different geographic locations. Users will be offices of HUD or its agent(s). Current offices are in Washington, DC, Bethesda, MD, and New York, NY, but these could be subject to change.

Data for Evaluation

If the offeror is determined to be within the competitive range, the offeror must be able to demonstrate in an interactive hands-on demonstration of the offeror's product.

Training – at HUD's Option, up to two (2) optional training sessions per year

When requested by HUD, the contractor must provide a one-day user training session within 30 days of the request by HUD. The sessions are expected to be in the Washington, DC and New York, NY areas, but could be in major cities elsewhere in the U.S. (To the extent that the contractor's system is user-friendly, no sessions or fewer sessions may be required. Users will include HUD personnel and the employees of HUD's agent(s). Currently, HUD's agent is the Division of Facilities Loans at the Department of Health and Human Services, which supports the Section 242 program under an interagency agreement.

Training sessions are to be priced as a separate line item and on a per session basis. Travel costs will be allowed based on government per diem rates at the time of travel.

User Manual and Support

The contractor must provide a user's manual to each user and must provide user support services via telephone during business hours.

Platform

It is understood that HUD will be responsible for acquiring equipment needed at its offices and the offices of its agent(s) to access the contractor's data and run analytical reports. The offeror's product must operate on Window's 95 and Window's XP platforms. Offerors must provide equipment specifications in their proposals.

DELIVERABLES AND SCHEDULE OF DELIVERABLES

1. CD's (for four users) providing unlimited access to hospital financial and operational data in accordance with the proposal. The first set of CD's is to be delivered no later than 30 days following the award of the contract.
2. CD's (for four users) providing unlimited access to age graded discharge and patient day data in accordance with the proposal. The first set of CD's is to be delivered no later than 30 days following the award of the contract.
3. CD' (for four users) providing unlimited access to age graded demographic data in accordance with the proposal. The first set of CD's is to be delivered no later than 30 days following the award of the contract.
4. Two user's manuals and user support
30 days after award
5. At the Option of HUD: One or two user training sessions
30 days after award or within 30 days of HUD's request

PERIOD OF PERFORMANCE

Base period is 12 months from the date of the award with four options for annual renewals at the discretion of the Government.

ATTACHMENT A

Minimum Financial and Operational Data Elements

City
State
County
Affiliation
Ownership
Zip code
Total Profit Margin
Operating Profit Margin
Contractual Allowance Rate

Current Ratio
Days Cash on Hand
Days in Gross Accounts Receivable
Days in Net Total Receivable
Average Payment Period
Days in Accounts Payable

Average Age of Plant
Hospital Occupancy Rate
Facility Occupancy Rate
Hospital Avg Daily Census
Facility Avg Daily Census

Debt Service Coverage Ratio
Equity Financing Ratio
Cash Flow to Total Debt
Long term debt to equity ratio

Hospital Medicare ALOS
Hospital Medicare ALOS/Case Mix Index adjusted
Hospital All payor ALOS
All payor Case Mix index
Medicare CMI
Medicaid CMI
Gross Revenue per adjusted hospital discharge (case-mix adjusted)

Percent Medicare Hospital Days
Percent Medicaid Hospital Days
Percent Outpatient Revenue
Percent Inpatient Revenue

Hosp FTEs per Adj Occupied Bed
Hospital FTEs per 100 Discharges
Salary & Benefits to Operating Expense as a percentage
Hospital FTEs

Total Facility Beds
Total Hospital Beds
Total Nursery Beds
Total SNF Beds

Total Facility days
Total Hospital days

Total Nursery days
General Care days (excl swing,obs & hosp

Total Facility discharges
Total Hospital discharges
Total Nursery discharges

Fiscal Year Ending Date

Facility Employees
Hospital Employees
Salary & Benefits expense per FTE
Salary expense per FTE wage index adjusted

Occupied Hospital Beds

Gross Patient Revenue
Net Patient Revenue
Total Operating Revenue
Total Expenses
Depreciation & amortization
Operating Income
Non-operating income
Net Income
Interest Expense

Accounts Payable
Total Current Liabilities
Net Long Term Liabilities
Long Term Capital Debt

Restricted Fund Balance
Unrestricted Fund Balance
Total Equity

- Expense per hospital discharge
 - Expense per hospital day
 - Net revenue per adjusted hospital discharge
 - Case mix adjusted average length of stay
 - Complete income statement and balance sheet items

ATTACHMENT B
PROVISIONS AND CLAUSES

The following provisions and clauses, apply to this solicitation, and may be downloaded from web site www.arnet.gov/far.

52.212-1, Instructions to Offerors—Commercial
52.212-2, Evaluation—Commercial Items (See Attachment C)
52.212-3, Offeror Reps & Certifications—Commercial Items, (include w/business proposal)
(See Attachment C)
52.212-4, Contract Terms and Conditions—Commercial Items
52.217-8 Option To Extend Services
52.219-6 Notice Of Total Small Business Set-Aside
52.243-1, Changes-Fixed Price

The following HUDAR clauses, apply to this solicitation, and may be downloaded from web site <http://www.hud.gov/cts/ctshudar.html>

2415.305, Proposal Evaluation
2415.308, Source Selection
2452.233-70, Review of Contracting Officer Protest Decisions
2452.237-70, Key Personnel, include in business proposal
2452.239-71, Information Technology Virus Security
2452.246-70 Inspections and Acceptance

The following clause is in full text.

2452.237-73 CONDUCT OF WORK AND TECHNICAL GUIDANCE (OCT 1999)

(a) The Government Technical Representative (GTR) for liaison with the Contractor as to the conduct of work is Ms Laverne Hall or a successor designated by the Contracting Officer. The Contracting Officer will notify the contractor in writing of any change to the current GTR's status or the designation of a successor GTR.

(b) The GTR will provide guidance to the contractor on the technical performance of the contract. Such guidance shall not be of a nature which:

- (1) Causes the Contractor to perform work outside the scope of the contract;
- (2) Constitutes a change as defined in FAR 52.243-1;
- (3) Causes an increase or decrease in the cost of the contract;

(4) Alters the period of performance or delivery dates; or,

(5) Changes any of the other express terms or conditions of the contract.

(c) The GTR will issue technical guidance in writing or, if issued orally, he/she will confirm such direction in writing within five calendar days after oral issuance. The GTR may issue such guidance via telephone facsimile or electronic mail.

**52.212-5 CONTRACT TERMS AND CONDITIONS REQUIRED TO
IMPLEMENT STATUTES OR EXECUTIVE ORDERS--COMMERCIAL
ITEMS (MAY 2002)**

(a) The Contractor shall comply with the following FAR clauses, which are incorporated in this contract by reference, to implement provisions of law or executive orders applicable to acquisitions of commercial items:

(1) 52.222-3, Convict Labor (E.O. 11755).

(2) 52.233-3, Protest after Award (31 U.S.C. 3553).

(b) The Contractor shall comply with the FAR clauses in this paragraph (b) that the Contracting Officer has indicated as being incorporated in this contract by reference to implement provisions of law or Executive orders applicable to acquisitions of commercial items or components:

☒ (1) 52.203-6, Restrictions on Subcontractor Sales to the Government, with Alternate I (41 U.S.C. 253g and 10 U.S.C. 2402).

☐ (2) 52.219-3, Notice of HUBZone Small Business Set-Aside (Jan 1999).

☒ (3) 52.219-4, Notice of Price Evaluation Preference for HUBZone Small Business Concerns (Jan 1999) (if the offeror elects to waive the preference, it shall so indicate in its offer).

☐ (4) (i) 52.219-5, Very Small Business Set-Aside (Pub. L. 103-403, section 304, Small Business Reauthorization and Amendments Act of 1994).

☐ (ii) Alternate I to 52.219-5.

☐ (iii) Alternate II to 52.219-5.

☒ (5) 52.219-8, Utilization of Small Business Concerns (15 U.S.C. 637 (d)(2) and (3)).

☐ (6) 52.219-9, Small Business Subcontracting Plan (15 U.S.C. 637(d)(4)).

☒ (7) 52.219-14, Limitations on Subcontracting (15 U.S.C. 637(a)(14)).

☐ (8)(i) 52.219-23, Notice of Price Evaluation Adjustment for Small Disadvantaged Business Concerns (Pub. L. 103-355, section 7102, and 10 U.S.C. 2323) (if the offeror elects to waive the adjustment, it shall so indicate in its offer).

☐ (ii) Alternate I of 52.219-23.

☐ (9) 52.219-25, Small Disadvantaged Business Participation Program--Disadvantaged Status and Reporting (Pub. L. 103-355, section 7102, and 10 U.S.C. 2323).

☐ (10) 52.219-26, Small Disadvantaged Business Participation Program--Incentive Subcontracting (Pub. L. 103-355, section 7102, and 10 U.S.C. 2323).

☒ (11) 52.222-21, Prohibition of Segregated Facilities (Feb 1999).

☐ (12) 52.222-26, Equal Opportunity (E.O. 11246).

☒ (13) 52.222-35, Equal Opportunity for Special Disabled Veterans, Veterans of the Vietnam Era, and Other Eligible Veterans (38 U.S.C. 4212).

☒ (14) 52.222-36, Affirmative Action for Workers with Disabilities (29 U.S.C. 793).

☒ (15) 52.222-37, Employment Reports on Special Disabled Veterans, Veterans of the Vietnam Era, and Other Eligible Veterans (38 U.S.C. 4212).

☐ (16) 52.222-19, Child Labor--Cooperation with Authorities and Remedies (E.O. 13126).

☐ (17)(i) 52.223-9, Estimate of Percentage of Recovered Material Content for EPA-Designated Products (42 U.S.C. 6962(c)(3)(A)(ii)).

☐ (ii) Alternate I of 52.223-9 (42 U.S.C. 6962(i)(2)(C)).

☐ (18) 52.225-1, Buy American Act--Supplies (41 U.S.C. 10a-10d).

☐ (19)(i) 52.225-3, Buy American Act--North American Free Trade Agreement--Israeli Trade Act (41 U.S.C. 10a-10d, 19 U.S.C. 3301 note, 19 U.S.C. 2112 note).

☐ (ii) Alternate I of 52.225-3.

☐ (iii) Alternate II of 52.225-3.

☐ (20) 52.225-5, Trade Agreements (19 U.S.C. 2501, et seq., 19 U.S.C. 3301 note).

☒ (21) 52.225-13, Restriction on Certain Foreign Purchases (E.O. 12722, 12724, 13059, 13067, 13121, and 13129).

☐ (22) 52.225-15, Sanctioned European Union Country End Products (E.O. 12849).

☐ (23) 52.225-16, Sanctioned European Union Country Services (E.O. 12849).

☒ (24) 52.232-33, Payment by Electronic Funds Transfer--Central Contractor Registration (31 U.S.C. 3332).

☐ (25) 52.232-34, Payment by Electronic Funds Transfer--Other than Central Contractor Registration (31 U.S.C. 3332).

☐ (26) 52.232-36, Payment by Third Party (31 U.S.C. 3332).

☐ (27) 52.239-1, Privacy or Security Safeguards (5 U.S.C. 552a).

☐ (28)(i) 52.247-64, Preference for Privately Owned U.S.-Flag Commercial Vessels (46 U.S.C. 1241).

☐ (ii) Alternate I of 52.247-64.

(c) The Contractor shall comply with the FAR clauses in this paragraph (c), applicable to commercial services, which the Contracting Officer has indicated as being incorporated in this contract by reference to implement provisions of law or executive orders applicable to acquisitions of commercial items or components:

[Contracting Officer check as appropriate.]

☐ (1) 52.222-41, Service Contract Act of 1965, As amended(41 U.S.C. 351, et seq.).

☒ (2) 52.222-42, Statement of Equivalent Rates for Federal Hires (29 U.S.C. 206 and 41 U.S.C. 351, et seq.).

☒ (3) 52.222-43, Fair Labor Standards Act and Service Contract Act--Price Adjustment (Multiple Year and Option Contracts) (29 U.S.C. 206 and 41 U.S.C. 351, et seq.).

☐ (4) 52.222-44, Fair Labor Standards Act and Service Contract Act--Price Adjustment (29 U.S.C. 206 and 41 U.S.C. 351, et seq.).

☒ (5) 52.222-47, SCA Minimum Wages and Fringe Benefits Applicable to Successor Contract Pursuant to Predecessor Contractor Collective Bargaining Agreement (CBA) (41 U.S.C. 351, et seq.).

(d) Comptroller General Examination of Record. The Contractor shall comply with the provisions of this paragraph (d) if this contract was awarded using other than sealed bid, is in excess of the simplified acquisition threshold, and does not contain the clause at 52.215-2, Audit and Records--Negotiation.

(1) The Comptroller General of the United States, or an authorized representative of the Comptroller General, shall have access to and right to examine any of the Contractor's directly pertinent records involving transactions related to this contract.

(2) The Contractor shall make available at its offices at all reasonable times the records, materials, and other evidence for examination, audit, or reproduction, until 3 years after final payment under this contract or for any shorter period specified in FAR Subpart 4.7, Contractor Records Retention, of the other clauses of this contract. If this contract is completely or partially terminated, the records relating to the work terminated shall be made available for 3 years after any resulting final termination settlement. Records relating to appeals under the disputes clause or to litigation or the settlement of claims arising under or relating to this contract shall be made available until such appeals, litigation, or claims are finally resolved.

(3) As used in this clause, records include books, documents, accounting procedures and practices, and other data, regardless of type and regardless of form. This does not require the Contractor to create or maintain any record that the Contractor does not maintain in the ordinary course of business or pursuant to a provision of law.

(e) Notwithstanding the requirements of the clauses in paragraphs (a), (b), (c) or (d) of this clause, the Contractor is not required to include any FAR clause, other than those listed below (and as may be required by an addenda to this paragraph to establish the reasonableness of prices under Part 15), in a subcontract for commercial items or commercial components--

(1) 52.222-26, Equal Opportunity (E.O. 11246);

(2) 52.222-35, Equal Opportunity for Special Disabled Veterans, Veterans of the Vietnam Era, and Other Eligible Veterans (38 U.S.C. 4212);

(3) 52.222-36, Affirmative Action for Workers with Disabilities (29 U.S.C. 793);

(4) 52.247-64, Preference for Privately Owned U.S.-Flag Commercial Vessels (46 U.S.C. 1241) (flow down not required for subcontracts awarded beginning May 1, 1996); and

(5) 52.222-41, Service Contract Act of 1965, As Amended (41 U.S.C. 351, et seq.).

52.217-8 OPTION TO EXTEND SERVICES (Nov 1999)

The Government may require continued performance of any services within the limits and at the rates specified in the contract. These rates may be adjusted only as a result of revisions to prevailing labor rates provided by the Secretary of Labor. The option provision may be exercised more than once, but the total extension of performance hereunder shall not exceed 6 months. The Contracting Officer may exercise the option by written notice to the Contractor within 60 days.

52.217-9 OPTION TO EXTEND THE TERM OF THE CONTRACT (MAR 2000)

(a) The Government may extend the term of this contract by written notice to the Contractor within 60 days; provided that the Government gives the Contractor a preliminary written notice of its intent to extend at least days before the contract expires. The preliminary notice does not commit the Government to an extension.

(b) If the Government exercises this option, the extended contract shall be considered to include this option clause.

(c) The total duration of this contract, including the exercise of any options under this clause, shall not exceed five years.

ATTACHMENT C

52.212-2 Evaluation-Commercial Items (Jan 1999)

(a) The Government will award a contract resulting from this solicitation to the responsible offeror whose offer conforming to the solicitation will be most advantageous to the Government, price and other factors considered.

The following factors shall be used to evaluate offers:

Factors for Award

ALL EVALUATION FACTORS OTHER THAN COST OR PRICE, WHEN COMBINED, ARE EQUAL AND ARE EQUALLY IMPORTANT AS COST OR PRICE. IN ANY CASE, THE GOVERNMENT RESERVES THE RIGHT TO MAKE AN AWARD TO THAT OFFEROR WHOSE PROPOSAL PROVIDES THE BEST OVERALL VALUE TO THE GOVERNMENT

- **The Offeror's understanding and Approach:** The offeror must demonstrate a clear understanding of HUD's requirements. The proposal must demonstrate how the offeror shall provide services as requested in the Statement of Work.
- **The Offeror's Past Performance:** The offeror's past experience and performance, including schedule or delivery compliance over the past two years. Demonstrate satisfactory past performance of similar work. Provide (3) references that HUD may contact with regard to the work.
- **Completeness and Quality of Data:** The offeror must describe the source(s) of the database offered, the number of U.S. and U.S. territory acute care hospitals whose data will be included in the database, timeliness of the data offered, and quality assurance processes used by the offeror to ensure accuracy of the data. A listing of data elements to be provided to HUD for each deliverable must be included. The offer must describe the number of states and U.S. territories for which complete demographic data will be provided and confidence levels for that data. **(SEE ATTACHMENT A) Attachment A is the minimum requirement, which must be completed and returned as part of the Technical Proposal. Attachment A contains minimum requirements. Additional information is desirable.**
- **Ease of Use:** Through descriptive materials and an interactive demonstration offerors must be able to demonstrate the ease with which their products can be used. Ease of use will be considered for obtaining (1) selected financial and operational data elements for "target hospitals", their nearby competitors, and other similar hospitals, state, MSA, or Region averages, medians, target group totals or other benchmark data [e.g., the current ratio for a target group total would be the sum of the current assets for all the hospitals in the group divided by the sum of the current liabilities for all the hospitals in the group], (2) selected age graded discharge and patient day data elements as described above for a group of contiguous

zip codes and for the State, and (3) age graded demographic data as described above for a group of contiguous zip codes and for the State. Ease of use includes the ability to access the desired data, aggregate the data (if it is not already aggregated) for the listed zip codes, to aggregate data for a specified county, city, and MSA, and to aggregate the data into the four listed age groupings (0-17, 18-43, 44-64, 65+), to manipulate the data (if desired), to export the data into an Excel spreadsheet, and to print the data directly from the program or from the spreadsheet.

- **Mode:** CD version of the database.
- **Price:** Offerors shall break out pricing in accordance with the Section B in the Request for Proposal. The offeror must provide supporting documentation that the offeror's products are commercial items in accordance with FAR SUBPART 2.1 – 2.101 Definitions.

(b) Options. The Government will evaluate offers for award purposes by adding the total price for all options to the total price for the basic requirement. The Government may determine that an offer is unacceptable if the option prices are significantly unbalanced. Evaluation of options shall not obligate the Government to exercise the option(s).

(c) A written notice of award or acceptance of an offer, mailed or otherwise furnished to the successful offeror within the time for acceptance specified in the offer, shall result in a binding contract without further action by either party. Before the offer's specified expiration time,

the Government may accept an offer (or part of an offer), whether or not there are negotiations after its receipt, unless a written notice of withdrawal is received before award.

(End of provision)

52.212-3 Offeror Representations and Certifications-Commercial Items.

Offeror Representations and Certifications-Commercial Items (June 2003)

(a) Definitions. As used in this provision:

"Emerging small business" means a small business concern whose size is no greater than 50 percent of the numerical size standard for the NAICS code designated 518210

"Forced or indentured child labor" means all work or service-

(1) Exacted from any person under the age of 18 under the menace of any penalty for its nonperformance and for which the worker does not offer himself voluntarily; or

(2) Performed by any person under the age of 18 pursuant to a contract the enforcement of which can be accomplished by process or penalties.

"Service-disabled veteran-owned small business concern"-

(1) Means a small business concern-

(i) Not less than 51 percent of which is owned by one or more service-disabled veterans or, in the case of any publicly owned business, not less than 51 percent of the stock of which is owned by one or more service-disabled veterans; and (ii) The management and daily business operations of which are controlled by one or more service-disabled veterans or, in the case of a veteran with permanent and severe disability, the spouse or permanent caregiver of such veteran.

(2) Service-disabled veteran means a veteran, as defined in 38 U.S.C. 101(2), with a disability that is service-connected, as defined in 38 U.S.C. 101(16).

"Small business concern" means a concern, including its affiliates, that is independently owned and operated, not dominant in the field of operation in which it is bidding on Government contracts, and qualified as a small business under the criteria in 13 CFR part 121 and size standards in this solicitation.

"Veteran-owned small business concern" means a small business concern-

(1) Not less than 51 percent of which is owned by one or more veterans (as defined at 38 U.S.C. 101(2)) or, in the case of any publicly owned business, not less than 51 percent of the stock of which is owned by one or more veterans; and

(2) The management and daily business operations of which are controlled by one or more veterans.

"Women-owned business concern" means a concern which is at least 51 percent owned by one or more women; or in the case of any publicly owned business, at least 51 percent of its stock is owned by one or more women; and whose management and daily business operations are controlled by one or more women.

"Women-owned small business concern" means a small business concern-

(1) That is at least 51 percent owned by one or more women; or, in the case of any publicly owned business, at least 51 percent of the stock of which is owned by one or more women; and

(2) Whose management and daily business operations are controlled by one or more women.

(b) Taxpayer Identification Number (TIN) (26 U.S.C. 6109, 31 U.S.C. 7701). (Not applicable if the offeror is required to provide this information to a central contractor registration database to be eligible for award.)

(1) All offerors must submit the information required in paragraphs (b)(3) through (b)(5) of this provision to comply with debt collection requirements of 31 U.S.C. 7701(c) and 3325(d), reporting requirements of 26 U.S.C. 6041, 6041A, and 6050M, and implementing regulations issued by the Internal Revenue Service (IRS).

(2) The TIN may be used by the Government to collect and report on any delinquent amounts arising out of the offeror's relationship with the Government (31 U.S.C. 7701(c)(3)). If the resulting contract is subject to the payment reporting requirements described in FAR 4.904, the TIN provided hereunder may be matched with IRS records to verify the accuracy of the offeror's TIN.

(3) Taxpayer Identification Number (TIN).

o TIN: _____.

o TIN has been applied for.

o TIN is not required because:

o Offeror is a nonresident alien, foreign corporation, or foreign partnership that does not have income effectively connected with the conduct of a trade or business in the United States and does not have an office or place of business or a fiscal paying agent in the United States;

o Offeror is an agency or instrumentality of a foreign government;

o Offeror is an agency or instrumentality of the Federal Government.

(4) Type of organization.

o Sole proprietorship;

o Partnership;

o Corporate entity (not tax-exempt);

o Corporate entity (tax-exempt);

o Government entity (Federal, State, or local);

o Foreign government;

o International organization per 26 CFR 1.6049-4;

o Other _____.

(5) Common parent.

o Offeror is not owned or controlled by a common parent;

o Name and TIN of common parent:

Name _____.

TIN _____.

(c) Offerors must complete the following representations when the resulting contract will be performed in the United States or its outlying areas. Check all that apply.

(1) Small business concern. The offeror represents as part of its offer that it o is, o is not a small business concern.

(2) Veteran-owned small business concern. [Complete only if the offeror represented itself as a small business concern in paragraph

(c)(1) of this provision.] The offeror represents as part of its offer that it o is, o is not a veteran-owned small business concern.

(3) Service-disabled veteran-owned small business concern. [Complete only if the offeror represented itself as a veteran-owned small business concern in paragraph (c)(2) of this provision.] The offeror represents as part of its offer that it o is, o is not a service-disabled veteran-owned small business concern.

(4) Small disadvantaged business concern. [Complete only if the offeror represented itself as a small business concern in paragraph (c)(1) of this provision.] The offeror represents, for general statistical purposes, that it o is, o is not a small disadvantaged business concern as defined in 13 CFR 124.1002.

(5) Women-owned small business concern. [Complete only if the offeror represented itself as a small business concern in paragraph (c)(1) of this provision.] The offeror represents that it o is, o is not a women-owned small business concern.

Note: Complete paragraphs (c)(6) and (c)(7) only if this solicitation is expected to exceed the simplified acquisition threshold.

(6) Women-owned business concern (other than small business concern). [Complete only if the offeror is a women-owned business concern and did not represent itself as a small business concern in paragraph (c)(1) of this provision.] The offeror represents that it o is a women-owned business concern.

(7) Tie bid priority for labor surplus area concerns. If this is an invitation for bid, small business offerors may identify the labor surplus areas in which costs to be incurred on account of manufacturing or production (by offeror or first-tier subcontractors) amount to more than 50 percent of the contract price:

(8) Small Business Size for the Small Business Competitiveness Demonstration Program and for the Targeted Industry Categories under the Small Business Competitiveness Demonstration Program. [Complete only if the offeror has represented itself to be a small business concern under the size standards for this solicitation.]

(i) [Complete only for solicitations indicated in an addendum as being set-aside for emerging small businesses in one of the four designated industry groups (DIGs).] The offeror represents as part of its offer that it o is, o is not an emerging small business.

(ii) [Complete only for solicitations indicated in an addendum as being for one of the targeted industry categories (TICs) or four designated industry groups (DIGs).] Offeror represents as follows:

(A) Offeror's number of employees for the past 12 months (check the Employees column if size standard stated in the solicitation is expressed in terms of number of employees); or

(B) Offeror's average annual gross revenue for the last 3 fiscal years (check the Average Annual Gross Number of Revenues column if size standard stated in the solicitation is expressed in terms of annual receipts).

(Check one of the following):

Number of Employees	Average Annual Gross Revenues
<input type="checkbox"/> 50 or fewer	<input type="checkbox"/> \$1 million or less
<input type="checkbox"/> 51-100	<input type="checkbox"/> \$1,000,001-\$2 million
<input type="checkbox"/> 101-250	<input type="checkbox"/> \$2,000,001-\$3.5 million
<input type="checkbox"/> 251-500	<input type="checkbox"/> \$3,500,001-\$5 million
<input type="checkbox"/> 501-750	<input type="checkbox"/> \$5,000,001-\$10 million
<input type="checkbox"/> 751-1,000	<input type="checkbox"/> \$10,000,001-\$17 million
<input type="checkbox"/> Over 1,000	<input type="checkbox"/> Over \$17 million

(9) [Complete only if the solicitation contains the clause at FAR 52.219-23, Notice of Price Evaluation Adjustment for Small Disadvantaged Business Concerns, or FAR 52.219-25, Small Disadvantaged Business Participation Program-Disadvantaged Status and Reporting, and the offeror desires a benefit based on its disadvantaged status.]

(i) General. The offeror represents that either-

(A) It o is, o is not certified by the Small Business Administration as a small disadvantaged business concern and identified, on the date of this representation, as a certified small disadvantaged business concern in the database maintained by the Small Business Administration (PRO-Net), and that no material change in disadvantaged ownership and control has occurred since its certification, and, where the concern is owned by one or more individuals claiming disadvantaged status, the net worth of each individual upon whom the certification is based does not exceed \$750,000 after taking into account the applicable exclusions set forth at 13 CFR 124.104(c)(2); or

(B) It o has, o has not submitted a completed application to the Small Business Administration or a Private Certifier to be certified as a small disadvantaged business concern in accordance with 13 CFR 124, Subpart B, and a decision on that application is pending, and that no material change in disadvantaged ownership and control has occurred since its application was submitted.

(ii) o Joint Ventures under the Price Evaluation Adjustment for Small Disadvantaged Business Concerns. The offeror represents, as part of its offer, that it is a joint venture that complies with the requirements in 13 CFR 124.1002(f) and that the representation in paragraph (c)(9)(i) of this provision is accurate for the small disadvantaged business concern that is participating in the joint venture. [The offeror shall enter the name of the small disadvantaged business concern that is participating in the joint venture: _____.]

(10) HUBZone small business concern. [Complete only if the offeror represented itself as a small business concern in paragraph (c)(1) of this provision.] The offeror represents, as part of its offer, that-

(i) It o is, o is not a HUBZone small business concern listed, on the date of this representation, on the List of Qualified HUBZone Small Business Concerns maintained by the Small Business Administration, and no material change in ownership and control, principal office, or HUBZone employee percentage has occurred since it was certified by the Small Business Administration in accordance with 13 CFR part 126; and

(ii) It o is, o is not a joint venture that complies with the requirements of 13 CFR part 126, and the representation in paragraph (c)(10)(i) of this provision is accurate for the HUBZone small business concern or concerns that are participating in the joint venture. [The offeror shall enter the name or names of the HUBZone small business concern or concerns that are participating in the joint venture: _____.] Each HUBZone small business concern participating in the joint venture shall submit a separate signed copy of the HUBZone representation.

(d) Representations required to implement provisions of Executive Order 11246-

(1) Previous contracts and compliance. The offeror represents that-

(i) It o has, o has not participated in a previous contract or subcontract subject to the Equal Opportunity clause of this solicitation; and

(ii) It o has, o has not filed all required compliance reports.

(2) Affirmative Action Compliance. The offeror represents that-

(i) It o has developed and has on file, o has not developed and does not have on file, at each establishment, affirmative action programs required by rules and regulations of the Secretary of Labor (41 CFR parts 60-1 and 60-2), or

(ii) It o has not previously had contracts subject to the written affirmative action programs requirement of the rules and regulations of the Secretary of Labor.

(e) Certification Regarding Payments to Influence Federal Transactions (31 U.S.C. 1352). (Applies only if the contract is expected to exceed \$100,000.) By submission of its offer, the offeror certifies to the best of its knowledge and belief that no Federal appropriated funds have been paid or will be paid to any person for influencing or attempting to influence an officer or employee of any agency, a Member of Congress, an officer or employee of Congress or an employee of a Member of Congress on his or her behalf in connection with the award of any resultant contract.

(f) Buy American Act Certificate. (Applies only if the clause at Federal Acquisition Regulation (FAR) 52.225-1, Buy American Act-Supplies, is included in this solicitation.)

(1) The offeror certifies that each end product, except those listed in paragraph (f)(2) of this provision, is a domestic end product and that the offeror has considered components of unknown origin to have been mined, produced, or manufactured outside the United

States. The offeror shall list as foreign end products those end products manufactured in the United States that do not qualify as domestic end products. The terms "component," "domestic end product," "end product," "foreign end product," and "United States" are defined in the clause of this solicitation entitled "Buy American Act-Supplies."

(2) Foreign End Products:

Line Item No.

Country of Origin

_____	_____
_____	_____
_____	_____
_____	_____
_____	_____
_____	_____

[List as necessary]

(3) The Government will evaluate offers in accordance with the policies and procedures of FAR Part 25.

(g)(1) Buy American Act-North American Free Trade Agreement-Israeli Trade Act Certificate. (Applies only if the clause at FAR 52.225-3, Buy American Act-North American Free Trade Agreement-Israeli Trade Act, is included in this solicitation.)

(i) The offeror certifies that each end product, except those listed in paragraph (g)(1)(ii) or (g)(1)(iii) of this provision, is a domestic end product and that the offeror has considered components of unknown origin to have been mined, produced, or manufactured outside the United States. The terms "component," "domestic end product," "end product," "foreign

end product," and "United States" are defined in the clause of this solicitation entitled "Buy American Act-North American Free Trade Agreement-Israeli Trade Act."

(ii) The offeror certifies that the following supplies are NAFTA country end products or Israeli end products as defined in the clause of this solicitation entitled "Buy American Act-North American Free Trade Agreement-Israeli Trade Act":

NAFTA Country or Israeli End Products:

Line Item No.

Country of Origin

[List as necessary]

(iii) The offeror shall list those supplies that are foreign end products (other than those listed in paragraph (g)(1)(ii) of this provision) as defined in the clause of this solicitation entitled "Buy American Act-North American Free Trade Agreement-Israeli Trade Act." The offeror shall list as other foreign end products those end products manufactured in the United States that do not qualify as domestic end products.

Other Foreign End Products:

Line Item No.

Country of Origin

[List as necessary]

(iv) The Government will evaluate offers in accordance with the policies and procedures of FAR Part 25.

(2) Buy American Act-North American Free Trade Agreements-Israeli Trade Act Certificate, Alternate I (May 2002). If Alternate I to the clause at FAR 52.225-3 is included in this solicitation, substitute the following paragraph (g)(1)(ii) for paragraph (g)(1)(ii) of the basic provision: (g)(1)(ii) The offeror certifies that the following supplies are Canadian end products

as defined in the clause of this solicitation entitled "Buy American Act-North American Free Trade Agreement-Israeli Trade Act":

Canadian End Products:

Line Item No.

[List as necessary]

(3) Buy American Act-North American Free Trade Agreements-Israeli Trade Act Certificate, Alternate II (May 2002). If Alternate II to the clause at FAR 52.225-3 is included in this solicitation, substitute the following paragraph (g)(1)(ii) for paragraph (g)(1)(ii) of the basic provision: (g)(1)(ii) The offeror certifies that the following supplies are Canadian end products or Israeli end products as defined in the clause of this solicitation entitled "Buy American Act-North American Free Trade Agreement-Israeli Trade Act":

Canadian or Israeli End Products:

Line Item No.

Country of Origin

_____	_____
_____	_____
_____	_____
_____	_____
_____	_____

[List as necessary]

(4) Trade Agreements Certificate. (Applies only if the clause at FAR 52.225-5, Trade Agreements, is included in this solicitation.)

(i) The offeror certifies that each end product, except those listed in paragraph (g)(4)(ii) of this provision, is a U.S.-made, designated country, Caribbean Basin country, or NAFTA country end product, as defined in the clause of this solicitation entitled "Trade Agreements."

(ii) The offeror shall list as other end products those end products that are not U.S.-made, designated country, Caribbean Basin country, or NAFTA country end products.

Other End Products:

Line Item No.

Country of Origin

[List as necessary]

(iii) The Government will evaluate offers in accordance with the policies and procedures of FAR Part 25. For line items subject to the Trade Agreements Act, the Government will evaluate offers of U.S.-made, designated country, Caribbean Basin country, or NAFTA country end products without regard to the restrictions of the Buy American Act. The Government will consider for award only offers of U.S.-made, designated country, Caribbean Basin country, or NAFTA country end products unless the Contracting Officer determines that there are no offers for such products or that the offers for such products are insufficient to fulfill the requirements of the solicitation.

(h) Certification Regarding Debarment, Suspension or Ineligibility for Award (Executive Order 12549). (Applies only if the contract value is expected to exceed the simplified acquisition threshold.) The offeror certifies, to the best of its knowledge and belief, that the offeror and/or any of its principals-

(1) o Are, o are not presently debarred, suspended, proposed for debarment, or declared ineligible for the award of contracts by any Federal agency; and

(2) o Have, o have not, within a three-year period preceding this offer, been convicted of or had a civil judgment rendered against them for: commission of fraud or a criminal offense in connection with obtaining, attempting to obtain, or performing a Federal, state or local government contract or subcontract; violation of Federal or state antitrust statutes relating to the submission of offers; or commission of embezzlement, theft, forgery, bribery, falsification or destruction of records, making false statements, tax evasion, or receiving stolen property; and

(3) o Are, o are not presently indicted for, or otherwise criminally or civilly charged by a Government entity with, commission of any of these offenses.

(i) Certification Regarding Knowledge of Child Labor for Listed End Products (Executive Order 13126). [The Contracting Officer must list in paragraph (i)(1) any end products being acquired under this solicitation that are included in the List of Products Requiring Contractor Certification as to Forced or Indentured Child Labor, unless excluded at 22.1503(b).]

(1) Listed end products.

Listed End Product

Listed Countries of Origin

(2) Certification. [If the Contracting Officer has identified end products and countries of origin in paragraph (i)(1) of this provision, then the offeror must certify to either (i)(2)(i) or (i)(2)(ii) by checking the appropriate block.]

☐ (i) The offeror will not supply any end product listed in paragraph

(i)(1) of this provision that was mined, produced, or manufactured in the corresponding country as listed for that product.

☐ (ii) The offeror may supply an end product listed in paragraph (i)(1) of this provision that was mined, produced, or manufactured in the corresponding country as listed for that product. The offeror certifies that it has made a good faith effort to determine whether forced or indentured child labor was used to mine, produce, or manufacture any such end product furnished under this contract. On the basis of those efforts, the offeror certifies that it is not aware of any such use of child labor.